

House Study Bill 305

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON ELGIN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to legalize actions taken and proceedings conducted by the
2 state of Iowa, Linn county, the city of Cedar Rapids, and
3 three school districts including the Cedar Rapids community
4 school district, the College community school district, and
5 the Linn Mar community school district, which relate to
6 erroneously established boundaries, and providing an effective
7 date.
8 WHEREAS, the boundary between the Cedar Rapids community
9 school district and the College community school district was
10 changed in 1985 and the boundary between the Cedar Rapids
11 community school district and the Linn Mar community school
12 district was changed in 1998; and
13 WHEREAS, the boundary changes were erroneously made by the
14 office of city assessor of the city of Cedar Rapids as a result
15 of the annexation of land in Linn county by the city of Cedar
16 Rapids for inclusion within the territorial jurisdiction of the
17 city; and
18 WHEREAS, the state of Iowa, Linn county, the city of Cedar
19 Rapids, and the three school districts have continuously operated
20 as if the erroneous boundaries were correct; NOW THEREFORE,
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
22 TLSB 3691HC 81
1 da/sh/8

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1 1 Section 1. PRIOR PROCEEDINGS AND ACTIONS. All proceedings
1 2 conducted or actions taken by or on behalf of the state of
1 3 Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids
1 4 community school district, the College community school
1 5 district, and the Linn Mar community school district which
1 6 were conducted or taken prior to the effective date of this
1 7 Act are legalized, validated, and confirmed, if the
1 8 proceedings were conducted or the actions were taken in
1 9 reliance on the erroneous boundaries being correct, and if the
1 10 actions taken or proceedings conducted were otherwise in
1 11 accordance with state law.
1 12 Sec. 2. PROCEEDINGS AND ACTIONS DESCRIBED. The
1 13 proceedings conducted or actions taken as provided in section
1 14 1 include but are not limited to the appropriation or
1 15 allocation and expenditure of moneys, budgeting practices and
1 16 decisions, the levy and collection of taxes, and the
1 17 enrollment of students.
1 18 Sec. 3. FUTURE PROCEEDINGS AND ACTIONS. All proceedings
1 19 conducted or actions taken by or on behalf of the state of
1 20 Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids
1 21 community school district, the College community school
1 22 district, and the Linn Mar community school district which are
1 23 conducted or taken on or after the effective date of this Act
1 24 until June 30, 2006, as provided in sections 1 and 2 of this
1 25 Act, are legalized, validated, and confirmed in the same
1 26 manner as the proceedings conducted or actions taken pursuant
1 27 to those sections.
1 28 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
1 29 immediate importance, takes effect upon enactment.
1 30 EXPLANATION
1 31 This bill arises out of a change in the boundaries of three
1 32 school districts which were made by the city of Cedar Rapids
1 33 when it annexed land for inclusion within the municipality.
1 34 The changes to the boundaries occurred in 1985, which affected
1 35 the Cedar Rapids community school district and the College

2 1 community school district, and again in 1998, which affected
2 2 the Cedar Rapids community school district and the Linn Mar
2 3 community school district. In both instances the changes to
2 4 the boundaries were erroneously made by the office of city
2 5 assessor.
2 6 The bill legalizes proceedings conducted or actions taken
2 7 by or on behalf of the state, Linn county, the city of Cedar
2 8 Rapids, and the three school districts, including but not
2 9 limited to the appropriation or allocation and expenditure of
2 10 moneys, budgeting practices and decisions, the levy and
2 11 collection of taxes, and the enrollment of students. The bill
2 12 also provides for the legalization of those same types of
2 13 proceedings conducted or actions taken by or on behalf of the
2 14 entities on or after the bill becomes effective until June 30,
2 15 2006. By that date new boundaries are planned to be
2 16 established.
2 17 The bill takes effect upon enactment.
2 18 LSB 3691HC 81
2 19 da:nh/sh/8